ATTORNEY'S DOCKET NO. SMLR-002-01

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

AS a below named inventor, I hereby declare that:  
 My residence, post office address and citizenship are as stated below next to my name:  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CULTIVATION OF MORCHELLA

the specification of which:

[ ] is attached hereto.

[ x ] was filed on June 25, 2003 as  
 Application Serial No. 10/603,525  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- [ ] I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority Claimed

_____	_____	_____	[ ]	[ ]
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

- [ ] I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional applications listed below.

\_\_\_\_\_  
(Application Serial No.)\_\_\_\_\_  
(Filing Date)

- [ x ] I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

10/180,690  
 (Application Serial No.)

June 26, 2002  
 (Filing Date)


Pending  
 (Status) (patented, pending, abandoned)

ATTORNEY'S DOCKET NO. SMLR-002-01

I hereby declare that all statements made her in of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

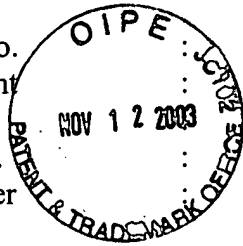
As a named inventor, I hereby appoint Kevin R. Erdman, Regis. No. 33,687; Sarah M. Jabbari, Regis. No. 47,679; Dennis Schell, Regis. No. 48,696; Kitisri Sukhapinda, Regis. No. 47,116; Nancy G. Tinsley, Regis. No. 37,098; Daniel Tychonievich Regis. No. 41,358; Thomas Adams, Regis. No. 48,230; Abigail Butler, Regis. No. 48,238; Adam Cox, Regis. No. 46,644; Brian C. Pauls, Regis. No. 40,122; John F. Hoffman, Regis. No. 26,280; Anthony Niewyk, Regis. No. 24,871; Michael D. Schwartz, Regis. No. 44,326; Eric J. Groen, Regis. No. 32,230; Gerard T. Gallagher, Regis. No. 39,679; Thomas Ladd, Regis. No. 32,543; Kareem Howell, Regis. No. 53,039 and Keith J. Swedo, Regis. No. 43,176 of BAKER & DANIELS as attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

PLEASE SEND ALL CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:  
Kevin R. Erdman  
BAKER & DANIELS  
300 North Meridian St., Suite 2700  
Indianapolis, Indiana 46204  
Telephone: 317-237-0300  
Facsimile: 317-237-1000

[1] Full name of sole or first inventor: Stewart C. Miller  
Residence: 1521 South 9th Street, Lafayette, Indiana 47905  
Citizenship: United States  
Post Office Address: 1521 South 9th Street, Lafayette, Indiana 47905  
Inventor's Signature  Date: 11-10-03  
[2] Full name of second inventor: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
[3] Full name of third inventor: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.  
Applicant  
Filed  
TC/A.U.  
Examiner



10/603,525  
Stewart C. Miller  
June 25, 2003  
3646  
To be assigned

Confirmation No. 4113

Docket No. : SMLR0002.01  
Customer No. : 27268

DECLARATION

I, Kevin R. Erdman, declare that:

1. I am the patent attorney of record in the above identified patent application.
2. I am a partner resident in the Indianapolis Offices of the firm of Baker & Daniels.
3. I reviewed and signed the utility application filed with the U.S. Patent and Trademark Office on June 25, 2003 for the *Cultivation of Morchella*.
4. A copy of the Certificate of Mailing signed by me identifying the submission of five (5) drawing sheets is enclosed.
5. The return postcard submitted with the application and acknowledged by the U.S. Patent and Trademark Office as receiving five (5) drawing sheets is enclosed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Kevin R. Erdman

Date